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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

PATRICIA L. CARUSO
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2010 - 4

EFFECTIVE: Immediately

DATE: January 1, 2010

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Patricia L. Caruso, Director

SUBJECT: Electronic Messages

SUPERSEDES DOM 2009 - 9 (effective 01/15/09)

Prisoners in Correctional Facilities Administration (CFA) are allowed to receive electronic messages from members of the public, including family members, sent through a vendor approved by the Department. Currently, only electronic messages received through JPay are authorized. This service is available at no cost to the Department. The system links information to reveal associations between prisoners and senders for use by designated staff (e.g., inspectors).

Electronic messaging through JPay is considered a privilege. Senders are required to comply with all of JPay's terms and conditions of use, including not to transmit content that is unlawful, obscene, or is otherwise objectionable as determined by the Department or for a fraudulent or other inappropriate purpose. In addition, designated staff may block a sender from transmittal of electronic messages to prisoners in CFA facilities if the sender has repeatedly sent such messages in violation of Department policy or for other reasons as approved by the CFA Deputy Director. Designated staff may similarly block a prisoner from receipt of electronic messages if such messages have repeatedly been sent to the prisoner in violation of Department policy or for other reasons as approved by the CFA Deputy Director. Notice of the block shall be sent to the sender or prisoner, as appropriate, within a reasonable time after the block is initiated. If blocked, the sender and prisoner may continue to correspond via the United States Postal Service in accordance with Department policy. The sender may appeal the block to the Warden.

All electronic messages sent via JPay are scanned for suspicious content, recorded, and archived by JPay. In addition, all electronic messages received by the Department will be monitored and will not receive any special handling, regardless of sender, even if the message would qualify for special handling if received through the mail.

Upon receipt at the facility, the electronic message shall be printed by designated staff and processed in the same manner as set forth for mail in PD 05.03.118 "Prisoner Mail"; however, the written content may be read in its entirety to determine if it violates PD 05.03.118. Any electronic message that has

been determined by JPay to include suspicious content shall be read in its entirety. An electronic message that is determined to violate PD 05.03.118 shall be rejected. The intended prisoner recipient is not entitled to notice of the rejection or a hearing. Designated staff shall notify the sender, however, that the electronic message will not be delivered and the reason for the rejection through JPay. The sender may appeal the rejection in the same manner as set forth for rejected mail in PD 05.03.118. The printed copy of the rejected message shall be retained for at least 15 business days after the sender is notified of the rejection; the printed copy shall then be destroyed unless an appeal by the sender is pending or the rejection determination has otherwise been reversed. Although the printed copy is destroyed, JPay will retain its archived copy.

Service terminations by JPay must be addressed with JPay. Such terminations are not appealable to the Warden.

PLC:OLA